

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: E. Wendell Diller
Application No.: 09/923272
Filed: August 3, 2001
For: ELONGATE VENTED GUN BARREL
Examiner: Michelle Thomson
Group Art Unit: 3641

Official

FAX RECEIVED

SEP 18 2002

Commissioner for Patents
Washington, D.C. 20231

Docket No.: 105-20-102765S GROUP 3600

FACSIMILE TRANSMITTAL LETTER

TO: Examiner Michelle Thomson
FACSIMILE NO.: (703) 872-9326
GROUP ART UNIT: 3641
TOTAL NUMBER OF PAGES (including cover letter): 5

DATE: September 18, 2002
TIME: 4:30 pm

Enclosed is a response to the Restriction Requirement dated August 8, 2002, along with a Petition for a One month extension of time.

Please charge any additional fees to Deposit Account No. 22- 0350.

Respectfully Submitted,

VIDAS, ARRETT & STEINKRAUS, P.A.



By:

Edwin E. Voigt
Registration No. 36,042

Date: September 18, 2002

6109 Blue Circle Drive, Suite 2000
Minnetonka, MN 55343-9185
Telephone: (952) 563-3000
Facsimile: (952) 563-3001

Certificate of Transmission

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 703-872-9326, on September 18, 2002.

Signature: Mary C. Grainger
Mary C. Grainger

PATENT

3/Rejection

Official 9/19/02

Holmes

FAX RECEIVED

SFP 18 2002

In re Application of: E. Wendell Diller
Application No.: 09/923272
Filed: August 3, 2001
For: Elongate Vented Gun Barrel
Examiner: Michelle Thomson
Group Art Unit: 3641

Assistant Commissioner for Patents
Washington, D.C. 20231

Docket No.: D5521-10027-US

GROUP 3600

RESPONSE TO RESTRICTION REQUIREMENT

Applicant herein provides this response to the Restriction Requirement as mailed on, or about, August 8, 2002.

In the Restriction Requirement, the Examiner required Applicant to elect claims which read upon one of the species within Section I, one of the species within Section II, one of the species within Section III, one of the species within Section IV, and one of the species within Section V.

Section I related to barrel section connections being formed of:

- a. releasably coupled;
- b. fixedly secured.

Section II barrel section length:

- c. sections have the same length;
- d. sections have different lengths.

Section III vent size:

- e. vents are the same size;

In Re: Application No. 09/923272
Page 2 of 3

Response to Restriction Requirement

f. vents of at least two different sizes.

Section IV vent spacing:

g. vents are regularly spaced;

h. vents are irregularly spaced.

Section V sector length:

i. sectors have an identical length;

j. sectors have different lengths.

In response to the Restriction Requirement for Applicant to identify one species from each of the sections I-V, Applicant herein provisionally elects, with traverse, paragraph b within Section I; paragraph c within Section II; paragraph e within Section III; paragraph h within Section IV; and paragraph i within Section V.

Applicant therefore provisionally elects claims 1, 2, 3, 5, 6, 8, 9, 11, 12, 14, 15, and 17, herein. Applicant believes that the above-identified provisional election of claims fully complies with the requirements of the Examiner pursuant to 35 U.S.C. §121.

Applicant has not elected claims 4, 7, 10, 13, 16, and 18, at this time without prejudice.

Applicant reserves the right to argue as to the allowability of claims 4, 7, 10, 13, 16, and 18, provided that a generic claim is determined to be allowed pursuant to 37 C.F.R. §1.141. Applicant provides this provisional election of claims with traverse in response to the Restriction Requirement of August 8, 2002.

Applicant believes that the enclosed provisional election of claims fully complies with the Restriction Requirement herein.

Should the Examiner have any questions concerning the enclosed provisional

In Re: Application No. 09/923272
Page 3 of 3

Response to Restriction Requirement

election of claims, she is cordially invited to contact the undersigned by telephone, facsimile, and/or E-Mail at the below identified addresses.

FORMALITIES

Enclosed herein is a Petition for a one month Extension of Time with the appropriate fee authorized to be charged to Deposit Account No. 22-0350.

Respectfully submitted,

VIDAS, ARRETT & STEINKRAUS



By:

Edwin E. Voigt II
Registration No.: 36042

Date: September 18, 2002

6109 Blue Circle Drive, Suite 2000
Minnetonka, MN 55343-9185
Telephone: (952) 563-3000
Facsimile: (952) 563-3001
E-Mail: evoigt@vaslaw.com

f:\wpwork\deev\10027us_amd_20020918.doc